

Message Text

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ACTION L-03

INFO OCT-01 NEA-14 ISO-00 CIAE-00 PM-07 H-03 INR-10

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USIA-15 OMB-01 AID-20 IGA-02 MC-02 TRSE-00 EB-11

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R 190610Z JUN 74

FM AMEMBASSY AMMAN

TO SECDEF WASHDC

SECSTATE WASHDC 1698

INFO USCINCEUR VAIHINGEN GERMANY

JCS WASHDC

CSA WASHDC

CSAF WASHDC

C O N F I D E N T I A L AMMAN 3534

SECDEF FOR ISA AND DSAA

E.O. 11652: GDS

TAGS: MASS, JO, US

SUBJ: DISPOSAL OF MAP EQUIPMENT

REF: A. MAP AMMAN 201110Z MAY 74

B. STATE 094271

1. MISSION REMAINS STRONGLY COMMITTED TO DISPOSAL OF RIGHTS AND TITLE TO MAP DELIVERED OR PROVIDED PRIOR TO 1968. PRELIMINARY INTERPRETATIONS IN REF (A) OF EFFECT NEW SECTION FAA 505(F) LEAVES US WONDERING WHETHER BETTER MUTUAL FIT BETWEEN TWO AREAS, SALE OF RESIDUAL RIGHTS AND NEW ELIGIBILITY REQUIREMENT, CANNOT BE WORKED OUT.

2. THE FOLLOWING QUESTIONS COME TO MIND:

(A) CAN JORDAN RETURN TO THE US ALL OR MOST OF THE
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GRANT EQUIPMENT PROVIDED TO IT BEFORE 1968 UNDER

CONDITION THAT SUCH EQUIPMENT WOULD THEN BE SOLD TO JORDAN, SUBJECT TO A FINAL US APPROVAL OF ANY THIRD COUNTRY TRANSFER?

(B) IF SUCH IS THE CASE, WOULD JORDAN IN RESPECT OF SUCH A SALE BE SUBJECT TO THE APPLICATION OF 505(F)?

(C) COULD PROCEEDS OF SUCH A SALE BE DISPOSED OF IN ACCORD WITH 505(F)?

(D) COULD ANY PROCEDURE MEET THE NEEDS OF 505(F) WITHOUT REQUIRING JORDANIANS IN EFFECT TO UNDERGO DOUBLE FINANCIAL JEOPARDY AS OUTLINED IN REF (A) -- I.E., PURCHASE RESIDUAL RIGHTS, AND THEN ALSO TURN OVER ALL PROCEEDS OF THIRD COUNTRY SALES?

(E) UNDER INTERPRETATION OF REF (A) WHEN DOES CHAIN STOP? SUPPOSE THIRD COUNTRY BUYING SUCH MATERIEL ALSO SIGNED AN AGREEMENT UNDER 505(F), SINCE MATERIEL ORIGINALLY GRANT, WOULD IT BE REQUIRED ALSO TO TURN OVER PROCEEDS? LOGIC OF OPINION (REF A) WOULD TEND IN THAT DIRECTION.

(F) WHAT WOULD BE PROBLEM IF IN SUBSEQUENT SALES CONSIDERATION INCREASED? I.E., SALE OF RESIDUAL RIGHTS AT 10 PERCENT OF ACQUISITION, WITH LATER RESALES AT HIGHER PERCENTAGES OF ACQUISITION? THIS IS QUITE LIKELY WITH SOARING COSTS OF MILITARY MATERIAL.

(G) IS THERE A PROCEDURE WHICH CAN BE SUGGESTED WHICH ALLOWS JORDANIANS TO ACQUIRE OLDER GRANT MATERIEL BY PURCHASE WITHOUT CONTINUING TO KEEP 505(F) IN EFFECT WITH RESPECT TO THAT PURCHASE; I.E., PURCHASE RESIDUAL VALUE UNDER FMS ACT?

(H) CAN SECDEF OUTLINE FOR US AUTHORITY FOR AND CURRENT PRACTICE (PRIOR TO 505(F) WITH RESPECT TO SALE OF RESIDUAL RIGHTS?

3. BE GRATEFUL FOR EARLY REPLY.
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